

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CHENG ET AL. CASE NO: CL2029 US NA

SERIAL NO: 10/735,019 GROUP ART UNIT: 1636

FILED: DECEMBER 12, 2003 EXAMINER: J. KETTER

FOR: MUTATIONS AFFECTING
PLASMID COPY NUMBER

DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Qiong Cheng, declare that:

I am a citizen of the United States of America and reside at 4 Collins Drive, Wilmington, Delaware, USA.

I am an employee of E.I. du Pont de Nemours and Company ("DuPont").

I received a [Ph.D.] in [Microbiology] from the [University of Illinois at Urbana-Champaign]. I have worked for DuPont from [February 9, 1998] to the present in the field of [microbial biotechnology].

I am an inventor of the above-identified application.

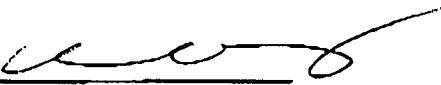
The following are my remarks:

1. In the October 19, 2006, Non-Final Office Action related to the above-identified application, the Examiner rejected claims 1-12 under 35 U.S.C. § 102(e) as being anticipated by Cheng *et al.* (Published U.S. Patent Application No. 2004/0146966). The priority date for Cheng *et al.* is December 19, 2002, one day before the priority date of the above-identified application.
2. The subject matter in Cheng *et al.* used by the Examiner to reject the claims of the above-identified application was invented by myself along with the

Serial No. 10/735,019
Docket No. CL2029 US NA

co-inventors of the above-identified application: Pierre Rouviere, Luan Tao, and Wonchul Suh.

3. I declare that all statements made herein are either based on my own knowledge and are true, or if based on information and belief are believed to be true. I also declare that all statements were made with knowledge that willful false statements, and the like, are punishable by either fine, or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and any such willful false statements may jeopardize the validity of either the patent application, or any patent issuing thereon.

By: 

Qiong Cheng

Dated: 2/20/2007